

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 105

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION ACT; AMENDING SECTION 18-8307, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REGISTRATION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 18-8307, Idaho Code, be, and the same is hereby amended to read as follows:

18-8307. REGISTRATION. (1) Registration shall consist of a form provided by the department and approved by the attorney general, which shall be signed by the offender and shall require the information set forth in subsection (1) of section 18-8305, Idaho Code.

(2) At the time of registration, the sheriff shall obtain a photograph and fingerprints, in a manner approved by the department, and require the offender to provide full palm print impressions of each hand. A violent sexual predator shall pay a fee of ~~ten~~ fifty dollars (\$~~150.00~~ 50.00) to the sheriff at the time of the first calendar quarter registration and ten dollars (\$10.00) per registration every subsequent quarter in the same calendar year. All other offenders shall pay an annual fee of ~~forty~~ eighty dollars (\$~~40.00~~ 80.00) to the sheriff for registration. The sheriff may waive the registration fee if the violent sexual predator or other offender demonstrates indigency. The fees collected under this section shall be used by the sheriff to defray the costs of violent sexual predator and other sexual offender registration and verification and for electronic notification, law enforcement information sharing and tracking. Irrespective of the classification or designation of the offender or predator, each county shall cause forty dollars (\$40.00) per offender per year of the fees collected under this section to be used for development, continuous use and maintenance of a statewide electronic notification, information sharing and tracking system as implemented by the Idaho sheriffs' association.

(3) The sheriff shall forward the completed and signed form, photograph, fingerprints and palm prints to the department within three (3) working days of the registration.

(a) The official conducting the registration shall ensure that the notification form is complete and that the offender has read and signed the form.

(b) No person subject to registration shall furnish false or misleading information when complying with registration and notification requirements of this chapter.

(4) (a) Within two (2) working days of coming into any county to establish residence, an offender shall register with the sheriff of the county. The offender thereafter shall register annually, unless the offender is designated as a violent sexual predator, in which case the offender shall register with the sheriff every three (3) months as pro-

1 vided in this section. If the offender intends to reside in another
2 jurisdiction, the offender shall register in the other jurisdiction
3 within two (2) days of moving to that jurisdiction and will not be re-
4 moved from the sexual offender registry in Idaho until registration in
5 another jurisdiction is complete.

6 (b) A nonresident required to register pursuant to section
7 18-8304(1)(b), Idaho Code, shall register with the sheriff of the
8 county where employed or enrolled as a student within two (2) working
9 days of the commencement of employment or enrollment as a student in
10 an educational institution, provided that nonresidents employed in
11 counseling, coaching, teaching, supervising or working with minors in
12 any way, regardless of the period of employment, must register prior to
13 the commencement of such employment.

14 (5) Registration shall be conducted as follows:

15 (a) For violent sexual predators the department shall mail a nonfor-
16 wardable notice of quarterly registration to the offender's last re-
17 ported address within three (3) months following the last registration;

18 (b) For all other sex offenders the department shall mail an annual,
19 nonforwardable notice of registration to the offender's last reported
20 address;

21 (c) Within five (5) days of the mailing date of the notice, the offender
22 shall appear in person at the office of the sheriff in the county in
23 which the offender is required to register for the purpose of completing
24 the registration process;

25 (d) If the notice is returned to the department as not delivered, the
26 department shall inform the sheriff with whom the offender last regis-
27 tered of the returned notice.

28 (6) All written notifications of duty to register as provided herein
29 shall include a warning that it is a felony as provided in section 18-8327,
30 Idaho Code, for an offender to accept employment in any day care center,
31 group day care facility or family day care home, as those terms are defined in
32 chapter 11, title 39, Idaho Code, or to be upon or to remain on the premises
33 of a day care center, group day care facility or family day care home while
34 children are present, other than to drop off or pick up the offender's child
35 or children.

36 (7) An offender shall keep the registration current for the full regis-
37 tration period. The full registration period is for life; however, offend-
38 ers may petition for release from the full registration period as set forth
39 in section 18-8310, Idaho Code.